

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
)
 Libutti, et al.) Art Unit: 1633
)
 Application No. 10/031,008) Examiner: Michael D. Burkhart
)
 Filed: May, 2002) Confirmation No. 3848
)
 FOR: METHODS FOR TREATING TUMORS)
 USING ANTIANGIOGENIC)
 COMPOUNDS)
)
)
)

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

BALLARD SPAHR ANDREWS &
INGERSOLL, LLP
Customer No. 36339

May 13, 2009

Dear Sir:

Applicant or patent owner hereby appeals under 37 C.F.R. § 41.31 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated April 8, 2009 finally rejecting claims 2, 4, 16, 18, 22, 40.

The item(s) checked below are appropriate:


1. ☒ An extension of time to respond to the final rejection:
(a) ☐ was obtained for month(s).
(b) ☒ is requested herewith under 37 C.F.R. § 1.136.
2. A credit card payment is submitted herewith *via* EFS Web in the amount of \$1650.00. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

ATTORNEY DOCKET NO. 14014.0322U2
APPLICATION NO. 10/031,008

- ☒ Appeal fee amount pursuant to 37 C.F.R. § 41.20(b)(1) = \$540.00 for a large entity
- ☒ Extension of time fee amount pursuant to 37 C.F.R. § 1.17(a)(3) = \$1110.00.
3. ☐ Enclosed is a Pre-Appeal Brief Request for Review and ____ sheets of reasons.

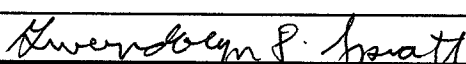
Respectfully submitted,

BALLARD SPAHR ANDREWS &
INGERSOLL, LLP



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CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R. § 1.8			
I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via electronic transmission via EFS-Web on the date indicated below.			
Name of Person (Print/Type)	Gwendolyn D. Spratt		
Signature		Date	5-13-09